

**MINUTES
SPECIAL BOARD MEETING
Friday, July 1, 2016
209 South Green Street
Glasgow, KY**

PRESENT: Mark Woodward, D.C., President
Frank Hideg, D.C., Vice-President
Terri Byers-Abston, D.C., Secretary
Rodney Casada, D.C., Member
Michael Seibert, D.C., Member
Karalee P. Oldenkamp, D.C., Executive Director
M. Keith Poynter, Board General Counsel

A quorum being present and after confirmation of proper notification of the special-called Board meeting, the meeting was called to order by the President at 9:10 a.m. prevailing time.

ITEM I: MINUTES

A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to approve the minutes of the March 11, 2016 board meeting.

ITEM II: FINANCIAL REPORTS

A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to approve the financial reports for March, April, May and June 2016.

ITEM III: BOARD OFFICE REPORT

The Board reviewed the Board Office Report and a motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to approve the report. The election of officers was discussed and the Board requested that the Executive Director draft a regulatory amendment to specify how officer elections are to take place.

ITEM IV: LEGISLATIVE AND REGULATORY CHANGES

The Board reviewed current regulations and a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0, to have regulatory amendments prepared for review at the following meeting.

ITEM V: AMEND AGENDA FOR ADMINISTRATIVE CASE 16-001

A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to amend the agenda to discuss administrative case 16-001. Dr. Donald Miller was present to discuss the case. The Board heard Dr. Miller and thanked him for his time. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to offer an agreed order at the terms outlined for settlement of this case, which if accepted will close the case.

ITEM VI: AGENDA RESUMED

A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to resume the agenda.

ITEM VII: ADMINISTRATIVE CASE 14-006

Since the mediation did not take place, a motion was made by Dr. Abston, seconded by Dr. Hideg and passed 5-0 to have Board Counsel set a hearing date for this case.

ITEM VIII: ADMINISTRATIVE CASE 14-011

A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to hold this case in abeyance until the licensee applies for reactivation of his license.

ITEM IX: ADMINISTRATIVE CASE 14-020

The Board reviewed the proposed settlement and a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to accept the settlement and close this case.

ITEM X: ADMINISTRATIVE CASE 14-027

This case is continued.

ITEM XI: ADMINISTRATIVE CASE 15-005

This case is continued.

ITEM XII: ADMINISTRATIVE CASE 15-007

The licensee has allowed his license to be revoked for failure to renew; therefore, there is no subject matter jurisdiction. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 for the Board to review this issue if the licensee attempts to reapply or reinstate his license.

ITEM XIII: ADMINISTRATIVE CASE 15-008

The licensee has allowed his license to be revoked for failure to renew; therefore, there is no subject matter jurisdiction. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 for the Board to review this issue if the licensee attempts to reapply or reinstate his license.

ITEM XIV: ADMINISTRATIVE CASE 15-012

The Board reviewed the agreed order and a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to accept the agreed order as settlement of this case.

ITEM XV: ADMINISTRATIVE CASE 15-021

An Administrative Hearing has been set for November 15, 2016.

ITEM XVI: ADMINISTRATIVE CASE 15-029

The board reviewed information the licensee had provided in response to the request for additional information. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to dismiss the case.

ITEM XVII: ADMINISTRATIVE CASE 15-036

The Board reviewed the information in this case. A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to combine this case with administrative case 16-006 and have Board Counsel file a Notice of Hearing and Administrative Complaint.

ITEM XVIII: ADMINISTRATIVE CASE 15-037

This case is continued.

ITEM XIX: ADMINISTRATIVE CASE 15-038

Upon review of the complaint and the licensee's response, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to offer an agreed order at the settlement terms discussed which if accepted shall close the case.

ITEM XX: ADMINISTRATIVE CASE 16-005

This case is continued.

ITEM XXI: VIOLATION OF AGREED ORDER
ADMINISTRATIVE CASE 11-009

This case was ruled on by the Circuit Court Judge in the favor of the Board. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to accept the proposed agreed order and close the case.

ITEM XXII: VIOLATION OF AGREED ORDER
ADMINISTRATIVE CASE 13-009

Mediation has not taken place in this case. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to have Board counsel request a hearing date for this administrative case.

ITEM XXIII: ADMINISTRATIVE CASE 16-004

Upon review of the complaint and the licensee's response, a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to dismiss this case.

ITEM XXIV: ADMINISTRATIVE CASE 16-006

This case has been combined with administrative case 15-036.

ITEM XXV: ADMINISTRATIVE CASE 16-007

The Board reviewed the information in this case. A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to have Board Counsel file a Notice of Hearing and Administrative Complaint.

ITEM XXVI: ADMINISTRATIVE CASE 16-008

The Board reviewed the information in this case. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to combine this case with administrative case 16-006 and have Board Counsel file a Notice of Hearing and Administrative Complaint.

ITEM XXVII: ADMINISTRATIVE CASE 16-009

This case is continued.

ITEM XXVIII: ADMINISTRATIVE CASE 16-010

This case is continued.

ITEM XXIX: ADMINISTRATIVE CASE 16-011

Upon review of the complaint and the licensee's response, a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to dismiss this case.

ITEM XXX: ADMINISTRATIVE CASE 16-012

Upon review of the complaint and the licensee's response, a motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to dismiss this case.

ITEM XXXI: MALPRACTICE CASE 16M-001

Upon review of the case and the licensee's response, a motion was made by Dr. Abston, seconded by Dr. Woodward and passed 5-0 to dismiss this case.

ITEM XXXII: INITIAL LICENSE APPLICATION
RE: KEVIN TOMSIC, D.C.

The Board reviewed the initial application and supporting documents from Dr. Tomsic. A motion was made by Dr. Woodward, seconded by Dr. Casada and passed 5-0 to issue Dr. Tomsic's license.

ITEM XXXIII: LICENSE ACTIVATION
RE: LOUIS KENNY, D.C.

The Board reviewed the license activation application and supporting documents from Dr. Kenny. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to issue Dr. Kenny's license once his continuing education requirements are complete and the jurisprudence course taken. Dr. Kenny may be given the option to request a special jurisprudence course for a fee.

ITEM XXXIV: LICENSE ACTIVATION
RE: STEVEN SPAINHOWER, D.C.

The Board reviewed the license activation application and supporting documents from Dr. Spainhower. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to issue Dr. Spainhower's license once he has completed all of his continuing education and forwarded certificates to the Board.

ITEM XXXV: LICENSE ACTIVATION
RE: JEROME STECKLER, D.C.

The Board reviewed the license activation application and supporting documents from Dr. Steckler. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to issue Dr. Steckler's license.

ITEM XXXVI: LICENSE ACTIVATION
RE: STEPHEN WILSON, D.C.

The Board reviewed the license activation application and supporting documents from Dr. Wilson. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to issue Dr. Wilson's license once he has completed all of his continuing education and forwarded certificates to the Board.

ITEM XXXVII: LICENSE REINSTATEMENT
RE: JOHN LANG, D.C.

The Board reviewed the license reinstatement application and supporting documents from Dr. Lang. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to approve Dr. Lang's

license reinstatement.

ITEM XXXVIII: CONSIDER CORRESPONDENCE RE: DOT PHYSICALS

The Board reviewed the information provided. No action was taken.

**ITEM XXXIX: CONSIDER CORRESPONDENCE FROM
KY STATE ACUPUNCTURE ASSOCIATION**

The Board reviewed the letter from the Kentucky State Acupuncture Association. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to send a letter of response as discussed.

ITEM XL: CONSIDER PEER REVIEW COMMITTEE

The Board reviewed correspondence from Dr. Kurt Adams and Dr. David Ivey. Dr. Kurt Adams was present and addressed the Board concerning the Peer Review Committee. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to table this item.

**ITEM XLI: CONSIDER CORRESPONDENCE RE: PEER REVIEW COMMITTEE
FROM STEVEN CARTER, D.C.**

The Board reviewed correspondence from Dr. Carter concerning the Peer Review Committee. A motion was made by Dr. Woodward, seconded by Dr. Hideg and passed 5-0 to send a letter of response as discussed to Dr. Carter.

ITEM XLII: CONSIDER CORRESPONDENCE RE: BLOOD DRAWS

The Board reviewed correspondence from Dr. Winters asking if blood draws were allowed to be done in chiropractic offices. The Board authorized the Executive Director to respond that blood draws could be performed in a chiropractor's office if done by a person licensed to draw blood.

ITEM XLIII: SET FUTURE MEETING DATES

The Board set meetings for September 23 and December 2, 2016. The previously set October 21, 2016 meeting shall be cancelled.

ITEM XLIV: CONSIDER MEETING AND TRAINING TRAVEL

A motion was made by Dr. Woodward, seconded by Dr. Seibert and passed 5-0 to approve travel and expenses to send Dr. Hideg to FCLB District II meeting in October 2016. A second motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to approve travel and expenses to send Board Counsel to FARB Attorney Certification in 2016.

ITEM XLV: TRAVEL AND PER DIEM

A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to approve the travel expenses and per diems relating to today's meeting.

ITEM XLVI: ADJOURNMENT

There being no further business to come before the Board, upon motion made by Dr. Seibert, seconded by Dr. Abston and passed 5-0, the meeting was adjourned.

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Respectfully submitted:

ATTESTED:

Karalee P. Oldenkamp, D.C.
Executive Director

Mark Woodward, D.C.
President